

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

MARK LUKE TINSLEY,

Petitioner,

V.

WARDEN DEWAYNE ESTES and the
ATTORNEY GENERAL OF
THE STATE OF ALABAMA,

Respondents.

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Civil Action Number:
2:13-cv-1590-RBP-JEO

MEMORANDUM OPINION

The Petitioner, an Alabama state prisoner acting *pro se*, filed this action on August 28, 2013, seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The Clerk has received a letter notice dated December 9, 2013, from the Central Records Clerk of the Alabama Department of Corrections advising that Petitioner is deceased and thus no longer in DOC custody. (Doc. 4). The death of the habeas petitioner renders a habeas action moot. *Bruno v. Secretary, Fla. Dep't of Corr.*, 700 F.3d 445 (11th Cir. 2012) (citing *Dove v. United States*, 423 U.S. 325 (1976)). Accordingly, this action is due to be DISMISSED AS MOOT. A separate final order will be entered.

DONE, this 6th day of January, 2014.

Robert B. Prosser

ROBERT B. PROPST
SENIOR UNITED STATES DISTRICT JUDGE